IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.M.P.(M) No.735 of 2006

Decided on: November 27, 2006.

State of Himachal Pradesh **…Applicant.**

VERSUS

Chanderjeet & Anr. **….Respondents.**

Coram

The Hon'ble Mr.Justice Surjit Singh, Judge.

The Hon'ble Mr.Justice Dev Darshan Sud, Judge.

Whether approved for reporting?[1]

For the Applicant: **Mr.Som Dutt Vasudeva, Addl.A.G.**

For the respondents:

Surjit Singh, Judge (Oral)

Heard. The judgment of acquittal, passed by the trial Court, is well founded. This is a case where a lady, aged 24 years, had been having physical relations with respondent Chanderjeet for about four years. She lodged an F.I.R. only after she became pregnant. She reported that she had been having physical relations with the said respondent because of assurance given to her by the said respondent that he would marry her, but later on he backed out and even managed miscarriage of her pregnancy. The second respondent, who is father of respondent Chanderjeet, has been involved because of his alleged threat that in case respondent Chanderjeet married the prosecutrix he would disinherit him.

2. We have gone through the judgment of the trial Court. From the statement of the prosecutrix as also of her mother, it is made

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[1] *Whether the reporters of the local papers may be allowed to see the judgment?*

out that this is a case where the prosecutrix had been having sex with respondent Chanderjeet voluntarily. Admittedly, the prosecutrix was major even at the time when the illicit relationship commenced. In these circumstances, we do not think this is a fit case for grant of leave to appeal. The petition is dismissed.

(Surjit Singh),J.

November 27, 2006. ***(Dev Darshan Sud),J.***

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